

**ZB# 07-22**

**Darren Schiaroli**

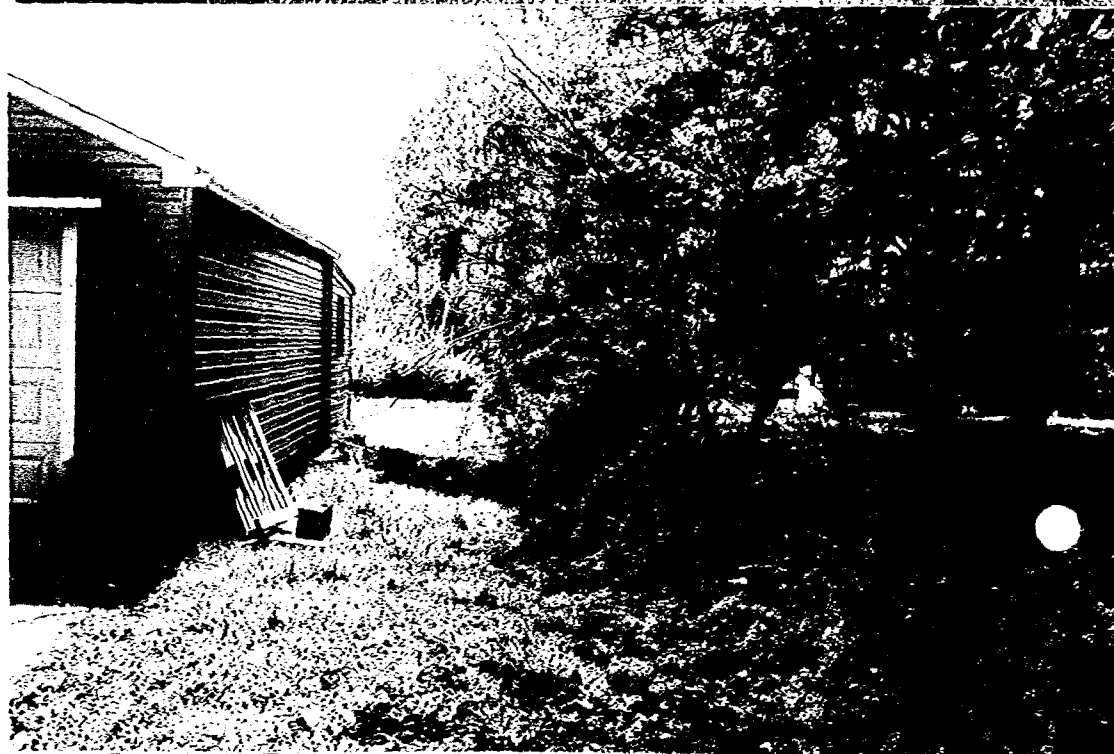
**53-2-7**

07-22 Darren Schiaroli (Area)  
15 Carpenter Rd. (53-2-7)

07-22

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 6/25/07*





**NEW WINDSOR ZONING BOARD OF APPEALS**

SBL: 53-2-7

In the Matter of the Application of

**MEMORANDUM OF  
DECISION GRANTING**

**JENNIFER SCHIAROLI**

**AREA**

**CASE #07-22**

**WHEREAS, Darren & Jennifer Schiaroli**, owner(s) of 15 Carpenter Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 23.7 ft. Side Yard Setback and; 48.8 ft. Total Side Yard for proposed addition to single family dwelling at 15 Carpenter Road in an R-1 Zone (53-2-7)

**WHEREAS**, a public hearing was held on June 25, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-1 zone.
  - (b) The purpose of the variance is to attach an existing garage to the home. Once the attachment is complete, however, the resulting structure is considered a single structure and will be in violation.

- (c) The existing garage has been in its present location for approximately 30 years and no additional construction making either the garage or the house closer to the property lines is contemplated.
- (d) In constructing the addition, the applicant will not remove any trees or substantial vegetation.
- (e) In building the addition the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (f) In building the addition the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (g) With the addition , the house will be similar in size and nature to other houses in the neighborhood.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

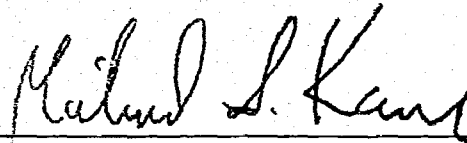
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for 23.7 ft. Side Yard Setback and; 48.8 ft. Total Side Yard for proposed addition to single family dwelling at 15 Carpenter Road in an R-1 Zone (53-2-7) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: June 25, 2007

A handwritten signature in dark ink, appearing to read "Richard S. Kane", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: May 4, 2007**

**APPLICANT: Jennifer Schiaroli  
15 Carpenter Road  
Rock Tavern, NY 12575**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 5/3/07**

**FOR : Single Family Dwelling With Proposed Addition**

**LOCATED AT: 15 Carpenter Road, Rock Tavern, NY 12575**

**ZONE: R-1      Sec/Blk/ Lot: 53-2-7**

**DESCRIPTION OF EXISTING SITE: Single Family Dwelling (With Proposed Addition)**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

**1. 300-10 Bulk Regulations, Use/Bulk Table R-1 Zone Line 5 Column F. Required side yard of 40' and a total of 80' both yards. A variance of 23.7' and 37.2' is required.**



*Louis J. Kumbier*  
BUILDING INSPECTOR

PERMITTED  
AVAILABLE:

PROPOSED OR  
REQUEST:

VARIANCE

ZONE: R-1      USE: Single Family With Proposed Addition

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:	40'	16.3'	23.7'
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REQ'D TOTAL SIDE TD:	80'	37.2'	48.8'
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REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

**COPY**

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number and Tax Parcel ID #, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Water and Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

MAY 02 2007

FOR OFFICE USE ONLY:  
Building Permit #: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP. DISABILITY & LIABILITY INSURANCE**  
**CERTIFICATES ARE REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR**  
**ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Darren & Jennifer Schiaroli

Address 15 Carpenter Rd. Rock Tavern NY 12575 Phone # 845-496-2693  
(cell) 914-213-9964

Mailing Address same Fax # \_\_\_\_\_

Name of Architect Ken Gil

Address 2081 Rt. 94 Salisbury Mills, NY 12577 Phone 845-496-7206

Name of Contractor Self

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the east side of Carpenter Rd.  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated residential Is property a flood zone? Y N X

3. Tax Map Description: Section 53 Block 2 Lot 7

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy SFR b. Intended use and occupancy SFR

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front 37' Rear 37' Depth 27'6" Height \_\_\_\_\_ No. of stories 1

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor 1

Number of bedrooms 2 Baths 1 Toilets 1 Heating Plant: Gas X Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars 1

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \$45,000.00 Fee \$50.00

**PAID**

CK # 592

Lox

/ /  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*Jennifer Schwardt*  
(Signature of Applicant)

*15 Carpenter Rd. Rock Tavern, NY*  
(Address of Applicant) 12575

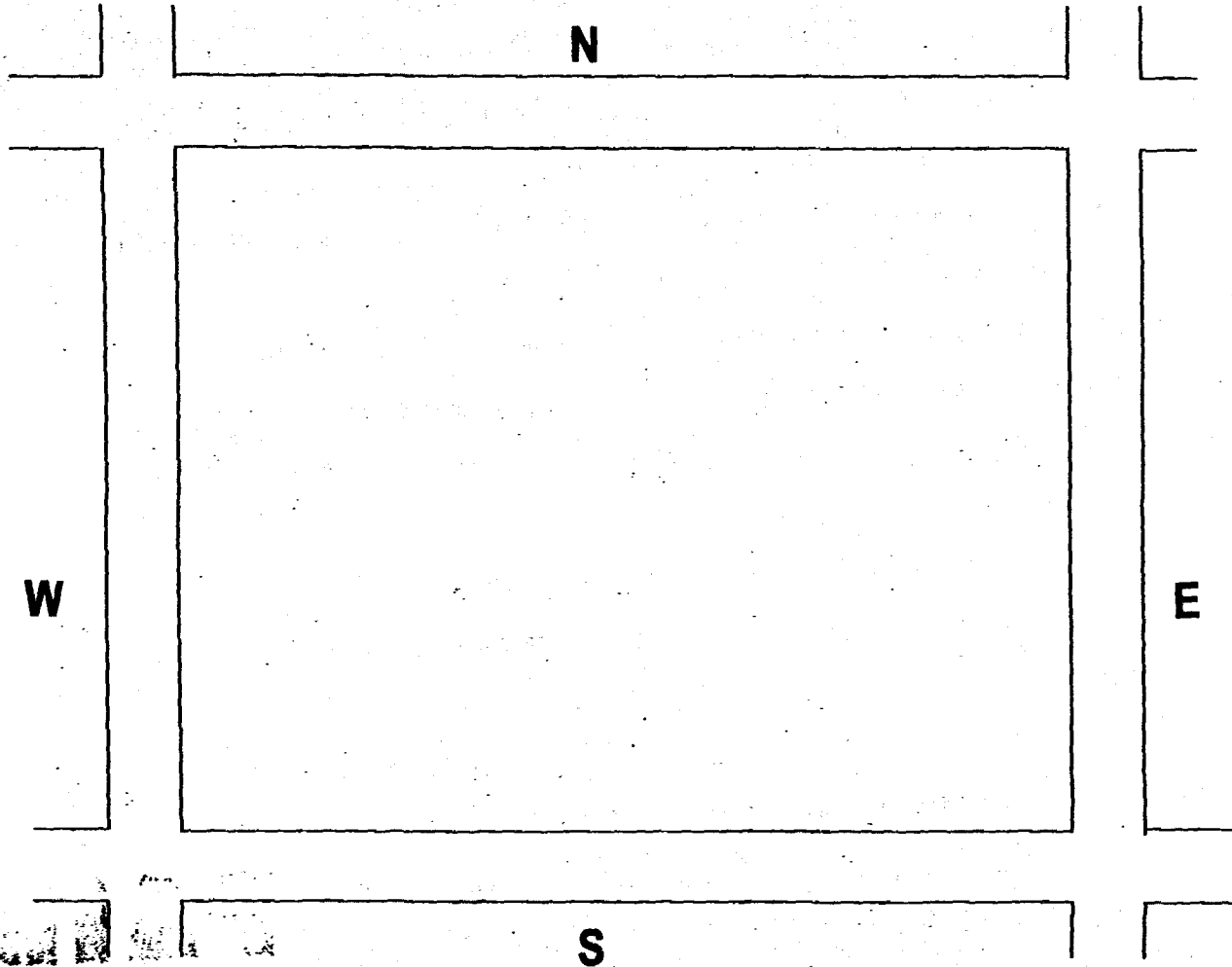
*Jennifer Schwardt*  
(Owner's Signature)

*15 Carpenter Rd. Rock Tavern, NY*  
(Owner's Address) 12575

PLOT PLAN

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Please call for details.

MAY 02 2007

## Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- ☐ I am performing all the work for which the building permit was issued.
- ☐ I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- ☒ I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ♦ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit; OR
- ♦ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

Darren Schiaroli

(Signature of Homeowner)

Darren Schiaroli

(Homeowner's Name Printed)

5/2/07

(Date Signed)

Home Telephone Number 845-496-2693

Property Address that requires the building permit:

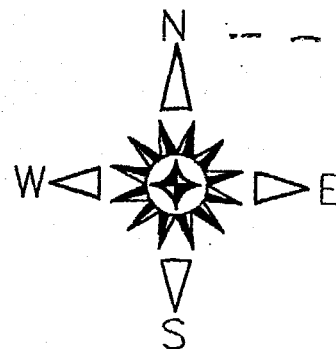
15 Carpenter Rd.

Rock Tavern, NY 12575

Sworn to before me this 2nd day of  
May, 2007  
Cheryl L. Canfield  
(County Clerk or Notary Public)

CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County  
#01CA6073319  
Commission Expires April 22, 2010

Carpenter Road



Lot#6

Paved Drive

Dwelling

Garage

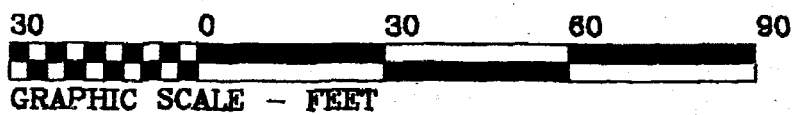
Enclosure

Lot#8

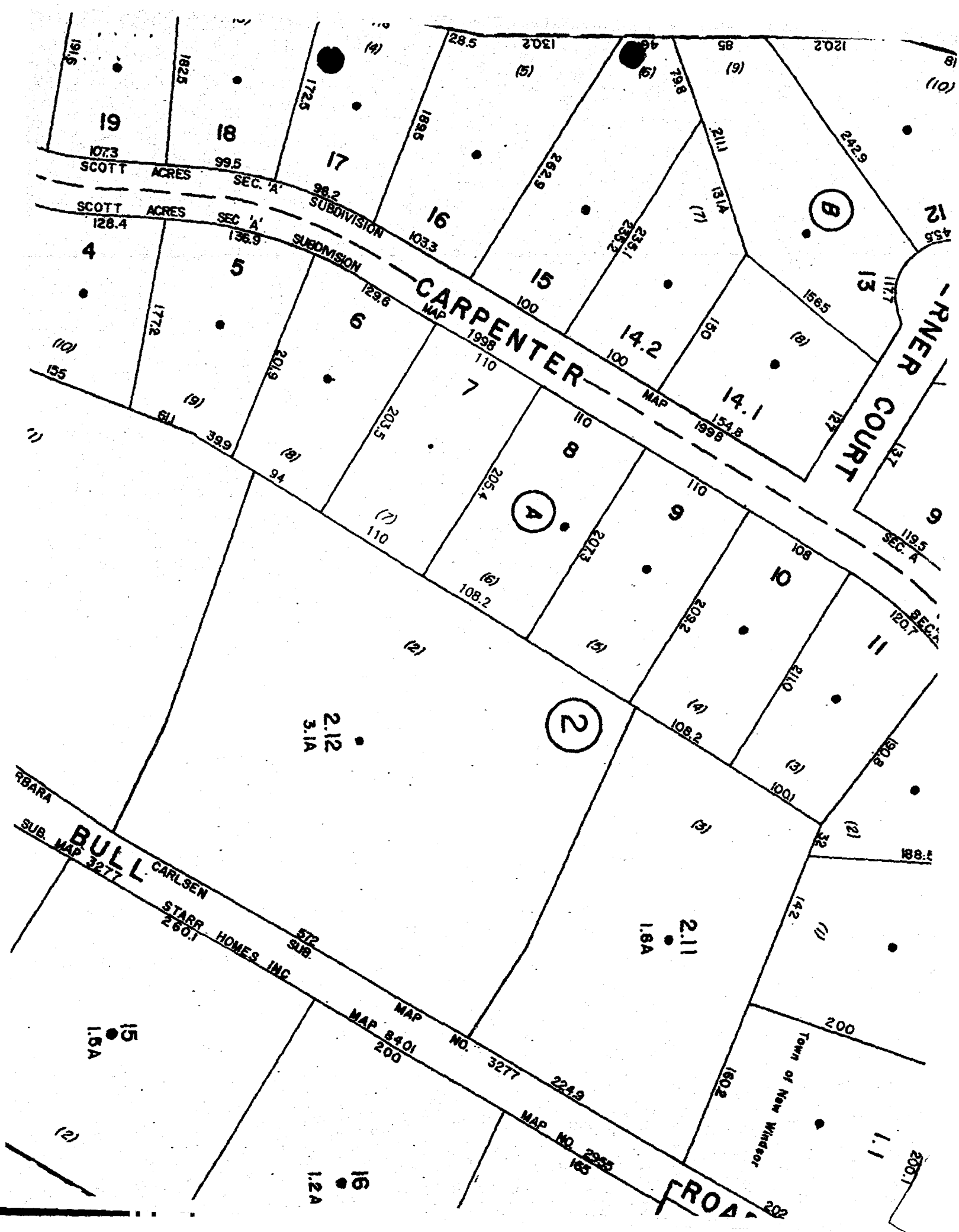
Area: 0.5 +/- Acres

Lot#7

Note: "Lot#" denotes lot numbers as per filed map #1998.



Lands of





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: JACK FINNEGAN, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 12-28-07**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 174.52 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #07-22**

**NAME & ADDRESS:**

**Darren & Jennifer Schiaroli  
15 Carpenter Road  
Rock Tavern, NY 12575**

**THANK YOU,**

**MYRA**

**J.F.12-28-07**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #07-22      TYPE: AREA      TELEPHONE: 496-2693

**APPLICANT:**

Darren & Jennifer Schiaroli  
15 Carpenter Road  
Rock Tavern, NY 12575

RESIDENTIAL:	\$ 50.00	CHECK # <u>595</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 594



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 06-25-07      \$ 13.48

TOTAL:	\$ <u>55.48</u>	\$ <u>70.00</u>
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ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 125.48

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 174.52

Cc:

J.F. 12-28-07

DARREN & JENNIFER SCHIAROLI (07-22)

Mr. and Mrs. Darren Schiaroli appeared before the board for this proposal.

MS. GANN: Request for 23.7 foot side yard setback and 48.8 foot total side yard for proposed addition to single family dwelling at 15 Carpenter Road. State your name and address.

MRS. SCHIAROLI: Jennifer and Darren Schiaroli, 15 Carpenter Road, Rock Tavern, New York.

MS. GANN: Tell us again why you're here.

MRS. SCHIAROLI: We're putting an addition onto the back of our house going out attaching it to our, the current existing garage. The variance that we're requesting is the existing garage is I believe 16 feet off the property line and it's required to be 40 when it's attached to the house.

MR. SCHIAROLI: It's an existing garage, it's been there for like 30 years so we're really not getting any closer to the property line just because we're tying the addition into the house or the garage into the house.

MR. KRIEGER: It's detached now?

MR. SCHIAROLI: By attaching it we need 40 feet but we don't, we have 16 now but it's not like we're getting any closer to anybody, we're not moving next to any property lines or anything, you know.

MR. KRIEGER: So the addition is referred to as the attaching portion extending the outward dimensions?

MR. SCHIAROLI: There's an addition going on but we're attaching it together so we're adding.

MRS. SCHIAROLI: The addition is here, the garage is here.

MR. LUNDSTROM: What's the addition going to be used for?

MRS. SCHIAROLI: Additional bedrooms, bathroom and laundry room.

MR. LUNDSTROM: How would they go from there to the garage through the bedroom.

MRS. SCHIAROLI: There's going to be a hallway exit.

MR. SCHIAROLI: At the end of the hallway there's going to be a stairwell, it's all on the plans, we've got the plans right here.

MS. GANN: Will you be cutting down substantial vegetation in the building of this?

MR. SCHIAROLI: No.

MRS. SCHIAROLI: Not at all.

MS. GANN: Create any drainage hazards or water hazards?

MRS. SCHIAROLI: No.

MS. GANN: Will it be going over any easements?

MRS. SCHIAROLI: No.

MS. GANN: Any additional questions from the board? Anyone here for this public hearing? Seeing that there's not, I will close the public portion, ask Myra how many mailings we had.

June 25, 2007

52

MS. MASON: On June 12, I mailed out 29 addressed envelopes and had no response.

MS. GANN: Any other questions or comments from the board? I'll accept a motion.

MS. LOCEY: I'll offer a motion to approve the requested variances on the application of Darren and Jennifer Schiaroli as detailed on the agenda of the New Windsor Zoning Board of Appeals meeting dated June 25, 2007.

MR. TORPEY: Second it.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

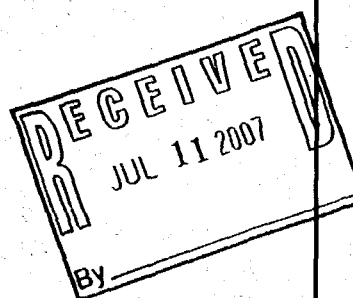
## Invoice

Date	Invoice #
6/25/2007	498

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
49761		

Issue Date	Description	Rate	Amount
6/15/2007	LEGAL ADS: APPEAL NO. 07-22 - SCHIAROLI	9.48	9.48
	1 AFFIDAVIT	4.00	4.00
		<b>Total</b>	\$13.48



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**  
PLEASE TAKE NOTICE that the  
Zoning Board of Appeals of the TOWN  
OF NEW WINDSOR, New York, will  
hold a Public Hearing on the following  
Proposition:  
Appeal No. (07-22)  
Request of **DARREN &  
JENNIFER SCHIAROLI**  
for a VARIANCE of the Zoning Local  
Law to Permit:  
Request for 23.7 ft. Side Yard Setback  
and; 48.8 ft. Total Side Yard for pro-  
posed addition to single family dwelling  
at 15 Carpenter Road in an R-1 Zone  
(53-2-7)  
PUBLIC HEARING will take place  
on JUNE 25, 2007 at the New Windsor  
Town Hall, 555 Union Avenue, New  
Windsor, New York  
beginning at 7:30 P.M.  
Michael Kane, Chairman

State of New York

County of Orange, ss:

Kathleen O'Brien being duly sworn  
disposes and says that she is  
the Supervisor of Legal Dept. of the  
E.W. Smith Publishing Company, Inc.,  
Publisher of The Sentinel, a weekly  
newspaper published and of  
general circulation in the Town of New  
Windsor, Town of Newburgh and City  
of Newburgh and that the notice of which  
the annexed is a true copy was published  
in said newspaper, 1 time (s)

commencing on

the 15<sup>th</sup> day of June A.D., 2007

and ending on the 15<sup>th</sup> day of

June A.D. 2007

*Kathleen O'Brien*

Subscribed and shown to before me  
this 10<sup>th</sup> day of July, 2007.

*Deborah Green*

Notary Public of the State of New York

County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065

Commission Expires July 15, 2011

My commission expires \_\_\_\_\_.



PROJECT: Darren + Jennifer Schiaroli ZBA # 07-22  
P.B.#

**CARRIED:** Y ✓ N    .



**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

**DARREN & JENNIFER SCHIAROLI**

**#07-22**

# X

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

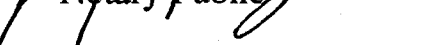
That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 12TH day of JUNE, 2007, I compared the 29 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

12<sup>th</sup> day of June, 2007

  
Notary Public

**JENNIFER GALLAGHER**  
**Notary Public, State of New York**  
**No. 01GA6050024**  
**Qualified in Orange County**  
**Commission Expires 10/30/10**

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

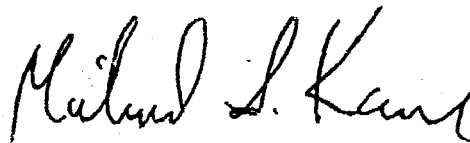
**Appeal No. (07-22)**

**Request of DARREN & JENNIFER SCHIAROLI**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 23.7 ft. Side Yard Setback and; 48.8 ft. Total Side Yard for proposed addition to single family dwelling at 15 Carpenter Road in an R-1 Zone (53-2-7)**

**PUBLIC HEARING will take place on JUNE 25, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.**



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**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

May 22, 2007

Darren & Jennifer Schiaroli  
15 Carpenter Rd.  
Rock Tavern, NY 12575

Re: 53-2-7                      ZBA#: 07-22      (29)

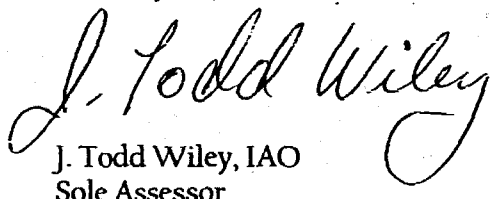
Dear Mr. & Mrs. Schiaroli:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00 minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/rah  
Attachments

CC: Myra Mason, Zoning Board



52-1-37  
WASHINGTONVILLE SOCCER CLUB  
INC.  
PO BOX 24 WASHINGTONVILLE, NY  
10992

53-2-10  
RONALD &  
ROSEMARIE VARAGNOLO  
182 RIO DAM RD.  
GLEN SPEY, NY 12737

53-4-13  
JAMES GILLETTE  
3 WERNER CT.  
ROCK TAVERN, NY 12575

53-2-1.2  
ATTILIO &  
ROSALIE CERIALE  
3 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-2-12  
MATTHEW & CLARE VINCENT  
5 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-14.1  
JOHN KINCAID  
2768 ROUTE 94  
WASHINGTONVILLE, NY 10992

53-2-2.11,2.12,2.13  
RANDOLPH DEN  
347 BULL RD.  
ROCK TAVERN, NY 12575

53-2-14  
EDWARD & DEBRA HOULIHAN  
314 BULL RD.  
WASHINGTONVILLE, NY 10992

53-4-14.2  
ARLENE FISCHER  
14 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-2-2.3  
DONALD &  
ARLENE LAURENCELL  
317 BULL RD.  
ROCK TAVERN, NY 12575

53-2-15  
AMY & SANDY PANENSKY  
316 BULL RD.  
ROCK TAVERN, NY 12575

53-4-15  
MICHAEL KRINSKY  
16 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-2-3  
PHILLIP & JOYCE DEFREES  
12 SHAW RD.  
ROCKTAVERN, NY 12575

53-2-16  
JOSE & CLAUDIA LORENZO  
318 BULL RD.  
ROCK TAVERN, NY 12575

53-4-16  
JOHN NEMETH  
292 PIERMONT AVE.  
SO. NYACK, NY 10960

53-2-4  
WILMA JOYCE  
21 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-8  
PATRICIA CARBAUGH  
8 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-17  
MARINUS &  
WILMA VOORMAN  
20 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-2-5  
CRAIG & EVELYN LEVINE  
19 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-9  
DEVIN SCHIAROLI  
2 WERNER CT.  
ROCK TAVERN, NY 12575

53-4-18  
DEAN & DAWN ROMER  
22 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-2-6  
MICHAEL BUCK  
17 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-10  
MATTHEW DIGREGORIO  
4 WERNER CT.  
ROCK TAVERN, NY 12575

53-4-19  
NEIL CHRISTMAN  
24 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-2-8  
TIMOTHY & JANET STEVENS  
13 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-11  
JAMES &  
DARLENE ROGGENDORF  
6 WERNER CT.  
ROCK TAVERN, NY 12575

53-4-21  
JASON PIERRO  
18 SHAW RD.  
ROCK TAVERN, NY 12575

53-2-9, 10  
FREDERICK DOBBERTIN &  
TERESA KOHOL  
11 CARPENTER RD.  
ROCK TAVERN, NY 12575

53-4-12  
MATTHEW HEMMER &  
ANNE CILIA  
5 WERNER CT.  
ROCK TAVERN, NY 12575

May 14, 2007

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DARREN & JENNIFER SCHIAROLI (07-22)

Mr. and Mrs. Darren Schiaroli appeared before the board for this proposal.

MR. KANE: Request for 23.7 foot side yard setback and 48.8 foot total side yard for proposed addition to single family dwelling at 15 Carpenter Road. Tell us what you want to do.

MR. SCHIAROLI: Should we do our names first? Darren Schiaroli, 15 Carpenter Road, Rock Tavern, New York.

MRS. SCHIAROLI: Jennifer Schiaroli.

MR. SCHIAROLI: We're building an addition, I guess we gave you the plans, I don't if you've seen them but we have the room if we didn't tie our house into the garage but now that we're tying the house into the garage they say we need 40 feet. The garage is existing, it's been there for 30 years now, we're not actually building where the variance is going so the addition--

MR. KANE: You're going to connect the house with the garage?

MRS. SCHIAROLI: Yes.

MR. KANE: This becomes part of the house?

MR. SCHIAROLI: Yes, this is actually coming across and tying into here so I mean the variance is over here, we're not getting any closer to the property line, we're just building, connecting our house and adding a little addition, you know.

MR. KANE: What size is the total addition that you're putting onto the house?

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MR. SCHIAROLI: I think it's 37 x 27 somewhere, I don't know the exact measurements, it's on the plans.

MR. KANE: It keeps the house similar in size and nature to other homes that are in your neighborhood, not overly big?

MRS. SCHIAROLI: No, no.

MR. SCHIAROLI: But the new ones they're building, I mean, it's, there's little houses on this road so the size of our house now is probably the average size but the new ones they're building now makes ours look tiny.

MR. KANE: I can see from the pictures but I ask the questions anyway. Not removing any trees or substantial vegetation in the building of the addition?

MR. SCHIAROLI: No.

MR. KANE: Won't be creating any runoff?

MR. SCHIAROLI: No.

MR. KANE: Any easements running through that area?

MR. SCHIAROLI: No.

MR. KANE: Mike, you have a copy of the plans?

MR. BABCOCK: Yes.

MR. KANE: We'll just have that for the public. Any further questions from the board?

MR. LUNDSTROM: What will the addition be used for?

MR. SCHIAROLI: For a bedroom for her and a den, a playroom and we're adding a bathroom.

May 14, 2007

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MR. KANE: No intent to make an apartment?

MRS. SCHIAROLI: No.

MR. SCHIAROLI: No.

MR. KANE: Have to ask, there's a trend.

MRS. SCHIAROLI: Just babies.

MR. KANE: I'll accept a motion.

MR. LUNDSTROM: Mr. Chairman, I will offer a motion that the application by Darren and Jennifer Schiaroli be allowed to proceed to a public hearing regarding the variance requested on the agenda of May 14, 2007.

MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#359-2007**

05/14/2007

**Schiaroli, Jennifer**

Received \$ 50.00 for Zoning Board Fees, on 05/14/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

ZBA# 07-22



**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 05-10-07

FOR: ESCROW 07-22

FROM:

**Darren & Jennifer Schiaroli**  
**15 Carpenter Road**  
**Rock Tavern, NY 12575**

CHECK FROM:  
SAME

CHECK NUMBER: 594

TELEPHONE: 496-2693

AMOUNT:

300.<sup>00</sup>

RECEIVED AT COMPTROLLER'S OFFICE BY:

John Ferraro  
NAME

5/14/07  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



RESULTS OF Z.B.A. MEETING OF: May 14, 2007

PROJECT: Darren & Joseph Schiaroli ZBA # 07-22  
P.B.# \_\_\_\_\_

USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) L S) G VOTE: A 5 N 0

★ GANN A  
LUNDSTROM A  
LOCEY A  
TORPEY A  
KANE A

CARRIED: Y ✓ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_  
VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

Copy of Plans from file for P.H.

**Orange County Department of Planning**  
Application for Mandatory County Review of Local Planning Action  
(Variances, Zone Changes, Special Permits, Subdivisions)  
To be completed by Local Board having jurisdiction.  
To be signed by Local Official.

MUNICIPALITY: TOWN OF NEW WINDSOR

TAX MAP ID: 53-2-7  
(Section-Block-Lot)

Local File #: 07-22 (Please refer to this number in review)      Project Name: DARREN SCHIAROLI

Applicant: Darren & Jennifer Schiaroli  
15 Carpenter Road  
Rock Tavern, NY 12575

Send Copy of Letter to Applicant: (check one)

Yes ☐      No ☐

Attorney, Engineer, Architect: N/A

Location of Site: 15 CARPENTER ROAD - ROCK TAVERN, NY  
(Street, highway, nearest intersection)

Size of Parcel: \_\_\_\_\_ Existing Lots: XX Proposed Lots/Units: \_\_\_\_\_

Present Zoning District: R-1

**TYPE OF REVIEW:**

- ☐ Site Plan (SP): \_\_\_\_\_
- ☐ Special Use Permit\* (SUP) \_\_\_\_\_
- ☐ Variance\* USE (UV): DESCRIPTION OF PROJECT:  
AREA (AV): DESCRIPTION OF PROJECT: REQUEST FOR 23.7 FT. SIDE YARD  
SETBACK AND; 48.7 FT. TOTAL SIDE YARD SETBACK FOR PROPOSED  
ADDITION TO SINGLE FAMILY DWELLING
- ☐ Zoning District Change\* From: \_\_\_\_\_ To: \_\_\_\_\_
- ☐ Zoning Amendment To Section: \_\_\_\_\_
- ☐ Subdivision: Major \_\_\_\_\_ Minor \_\_\_\_\_
- ☐ Sketch      ☐ Preliminary      ☐ Final (Please indicate stage)
- ☐ Other Comments: \_\_\_\_\_

Date: 05-11-07

\_\_\_\_\_  
Myra Mason, Secretary to the ZBA

\* Cite Section of Zoning Regulations where pertinent.

\_\_\_\_\_  
**FOR COUNTY USE ONLY**

County ID# \_\_\_\_\_

GML 239 Referral Guide – 02/27/2007

TOTAL CHARGES: \_\_\_\_\_



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

5.9.07

Date

Application Type: Use Variance ☒ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 496-2693  
Darren & Jennifer Schiaroli Fax Number: ( )  
(Name)  
15 Carpenter Rd. Rock Tavern, NY 12575  
(Address)

II. **Applicant:** Phone Number: (845) 496-2693  
Darren & Jennifer Schiaroli Fax Number: ( )  
(Name)  
  
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ( )  
Fax Number: ( )  
(Name)  
  
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 496-7206  
Fax Number: ( )  
Ken Gil (Architect) Louis Casano (Engineer)  
(Name)  
2081 Route 94 Salisbury Mills, NY 12577  
(Address)

V. **Property Information:**  
Zone: R-1 Property Address in Question: 15 Carpenter Rd Rock Tavern NY 12575  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 53 Block 2 Lot 7  
a. What other zones lie within 500 feet? NA  
b. Is pending sale or lease subject to ZBA approval of this Application? NO  
c. When was property purchased by present owner? 2002  
d. Has property been subdivided previously? NO If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? NO  
f. Is there any outside storage at the property now or is any proposed? NO

**\*\*\*\*PLEASE NOTE:\*\*\*\*\***

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	40	16.3'	23.7'
Reqd. St Front*	80	37.2	48.8'
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

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**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

Approving the variance will allow the proposed addition which keeps the home conforming to the appearance of the rest of the neighborhood. The home will not be a "white elephant" among others.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

10 day of May 2007.

Jennifer Schiaroli  
Owner's Signature (Notarized)

Jennifer Schiaroli  
Owner's Name (Please Print)

Cheryl L. Canfield  
Signature and Stamp of Notary

CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County  
#01CA607334 Applicant's Signature (If not Owner)  
Commission Expires April 22, 2010

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐



PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT / SPONSOR <i>Jennifer Schiaroli</i>		2. PROJECT NAME	
3. PROJECT LOCATION: Municipality <i>Rock Tavern,</i> County <i>Orange</i>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>15 Carpenter Rd. Rock Tavern, NY 12575</i>			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: <i>Addition to existing structure</i>			
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals <i>Building permit</i>			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <i>N/A.</i> <input type="checkbox"/> Yes <input type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: <i>Jennifer Schiaroli</i>		Date: <i>5.9.07</i>	
Signature: <i>Jennifer Schiaroli</i>			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

## PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p><b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b></p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p><b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8?</b>    If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>	
<p><b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b></p> <p>C1. Existing air quality; surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: <b>NO</b></p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: <b>NO</b></p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: <b>NO</b></p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: <b>NO</b></p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: <b>NO</b></p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: <b>NO</b></p> <p>C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly: <b>NO</b></p>	
<p><b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b></p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    If Yes, explain briefly</p>	

## PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p>	
<p><input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	



**TOWN OF NEW WINDSOR**  
555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



**ZONING BOARD PROCEDURES**

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "**THE TOWN OF NEW WINDSOR**" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <b><u>DEPOSIT</u></b> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <b><u>DEPOSIT</u></b> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <b><u>DEPOSIT</u></b> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <b><u>DEPOSIT</u></b> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT **AVAILABLE** AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

\*

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

**LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:**

**APPROXIMATE COST FOR  
PUBLIC HEARING LIST:**

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH **YOUR** RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH **"NOTICES OF PUBLIC HEARING"** TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

### TO ALL ZONING BOARD OF APPEALS APPLICANTS:

Please note the attached letter from Orange County Department of Planning asking that referrals be made to their office for review.

Due to this request, your application will be sent to Orange County Department of Planning for review. We are hoping to do this in a way that does not add to the time it normally takes to seek a variance.

Thank you for your cooperation in this matter.

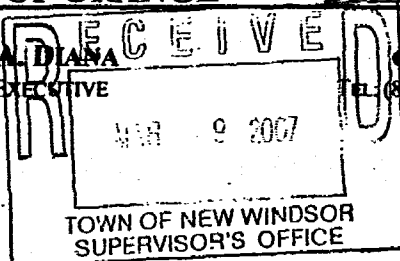
ZONING BOARD OF APPEALS

Please Read



**COUNTY OF ORANGE****DEPARTMENT OF PLANNING**

EDWARD A. DIANA  
COUNTY EXECUTIVE



124 MAIN STREET  
GOSHEN, NEW YORK 10924-2124  
TEL: (845)291-2318 FAX: (845)291-2533

DAVID CHURCH, A.I.C.P.  
COMMISSIONER

5 March, 2007

**POLICY REMINDER  
REFERRAL OF CERTAIN MUNICIPAL PERMITS AND ACTIONS  
to COUNTY PLANNING as per NYS GENERAL MUNICIPAL LAW §239 L, M & N**

**NEW POLICY GUIDEBOOK ATTACHED**

As an essential part of Orange County's renewed interest and involvement in planning and development policy, the Planning Department continues to gain staff capability and expertise. The Orange County Planning Department reviews all projects that meet the requirements of Section 239 of the NYS General Municipal Law (GML §239) for County referrals. Please be sure that your municipality is sending the required applications that come under the provisions of GML § 239. Keep in mind that if there is a project that falls under the non-mandatory review requirement, we will be glad to review it upon request of a municipal official.

**A new guidebook is attached detailing the NYS GML §239 referral process here in Orange County. Additional copies of this guidebook can be downloaded at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).**

As a refresher, prior to making a decision on certain permits or actions, GML § 239 requires that you send to County Planning a copy of the complete application for the following "proposed actions" that are within 500 feet of the properties or thresholds listed in the statute (GML § 239-m (3)):

1. The adoption of a municipal comprehensive plan, zoning ordinance or law, or an amendment to either one;
2. The granting of a use or area variance;
3. The issuance of special use permits;
4. Site plans for residential uses;
5. Site plans for non-residential uses;
6. Subdivisions plats;
7. Other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law.

Proposed "actions" must be referred to County Planning prior to your decision if they apply to real property within five hundred (500) feet of the following:

1. The boundary of any city, village or town;
2. The boundary of any existing or proposed county or state park or any other recreation area;

Orange County Planning Commissioner  
March 5, 2007 Memorandum on GML § 239 Referrals  
page 1 of 2 plus attachment

Please Read

